

**BUTTE-SILVER BOW LOCAL GOVERNMENT  
STUDY COMMISSION**

**Minutes of the Meeting  
January 12, 2006  
Butte-Silver Bow Courthouse, First Floor Conference Room**

**Meeting Date:** January 12, 2006

**Time:** 5:30 p.m.

**Place:** Butte-Silver Bow Courthouse, First Floor Conference Room

**Call to Order:** Chairman Bob Worley brought the meeting to order at 5:40 p.m. and called roll with the following results:

**Members Present:** Tony Bonney, Ristene Hall, Dave Palmer, Meg Sharp, Cindi Shaw, Northey Tretheway, Bob Worley, Shag Miller and Ron Rowling

**Excused Absences:** Wayne Harper

**Approval of Minutes:** Minutes from January 5, 2006 were approved with corrections. Bob Worley mentioned the correction of 2005 needing to be changed to 2006 on the minutes and the agenda. Meg Sharp motioned that the minutes from January 5, 2006 be approved and Dave Palmer seconded. Motion carried.

**Comments from Ron Rowling:** Bob Worley asked if Ron was able to get the information on police officers and the Public Works Director. Ron replied that he is still doing research on the police officers. Ron stated that he spoke with John VanDaveer and he did not know of any requirements that the Public Works Director had to have a P.E. It was something the county could have written into ordinance. Bob Worley asked if John had a P.E. and Ron replied that he did.

**Items not on agenda:** Bob Worley commented that he has been in communication with Don Robinson. Both he and Wayne have a meeting scheduled on Tuesday, January 17<sup>th</sup> at 1:00 p.m. in Don's conference room. Bob stated that he spoke with Don Robinson's secretary and asked if they could get a transcript of the meeting. He feels the timing for this is good. Wayne Harper will be attending an attorney's convention tomorrow and is going to throw out for discussion the employment issues they have been discussing. Wayne should have some information after the convention before they meet with Don.

Bob Worley asked if everyone got the minutes that have been e-mailed to them from December 8, 2006.

Cindi Shaw commented that she spoke with Jean Rupert from the 1995-1996 Study Commission. Jean mentioned that someone who was on her on commission ten years ago also expressed interest in meeting with them. Jean mentioned to Cindi they did not want to come uninvited and felt they needed an invitation. Cindi Shaw told Jean that they would be interested in talking to them as a group versus individually. Cindi Shaw requested they send an invitation to the 1995-1996 Study Commission. Cindi Shaw asked Jean about the one thing that they voted in and what their intent was regarding the Land Records Department. Jean had told her that they absolutely intended to have Land Records be a separate department and for that department to have support people.

Bob Worley mentioned to Cindi that they voted to have the language added in the charter that stated separate Land Records Department be established by way of ordinance. Bob Worley mentioned Bob McCarthy's comment regarding the Land Records division and that it should not be a political office.

Bob Worley asked Cindi if she would contact Jean to find out who the other person was Jean Rupert was referring to. Bob Worley stated they could invite them to come on the 19<sup>th</sup> or 26<sup>th</sup> of January.

Bob Worley moved forward with the dog issue.

Cindi Shaw commented that she and Ristene Hall visited with Paul Babb today. They explained to Paul that they were trying to put together a proposal to bring before the public that might help with the dog issue. Cindi explained to Paul they wanted to make sure everyone was on the same page. Paul had explained to Cindi and Ristene that the dog issue is a three-legged stool. The number one leg is the animal shelter/animal care. The second leg was the spay and neuter aspect and the third leg was the control and enforcement issue. Cindi believed Paul had stated the animal shelter would be opening the first of the month. Once that is done they can start addressing the animal control issue. Paul explained that Public Works main concern at this time is the streets, highways, metro and so forth. Cindi discussed how animal control would always be on the low end of the totem pole in that department. Cindi suggested to Paul that they make it a separate department. Paul replied there is a teamster labor issue, such as one person is a teamster and the other is a laborer. They are both union and you cannot get rid of them. Paul stated they could make a separate department out of the animal services department with three entities, the shelter, animal control and spay and neuter with a director. Paul continued to tell her that you could still have the control and enforcement, which would be Dave and Grant. Whoever is employed following Dave and Grant would have to answer to the director. There would be a lot more accountability, checks and balances in place. Cindi and Ristene suggested Paul having contract services. Paul Babb had used the civic center as an example of how that could work. However, you could not get rid of Dave and Grant. Until they retire, they could implement something like that.

Ristene Hall mentioned to Paul that at the Study Commission's first public hearing, the number one topic amongst the public was animal control. Ristene explained that some of Paul's thoughts were having a separate department, with a department head and job description. He explained to them they would not have to come up with a job description for that position just the implementation of a department head. Hopefully the public would vote with the shelter being under the department head and also the animal control enforcement being under the department head. Paul told them the total cost for the teamster and the laborer with benefits is so much money. That alone could possibly finance the whole department if it was done without the teamster and the laborer. Paul explained that there should also be qualifications for the animal control/enforcement person. Ristene commented qualifications as far as knowing how to work with animals whether they be considered dangerous animals or it be a dangerous situation. Ristene stated the person would need to be kind to the animals and whatever the case would be with the animals for that person to be qualified to do the job. Ristene thought having a department head with a job description, someone that is accountable to the people, hired by the Chief Executive and works under the Chief Executive had to be accountable to the people.

Cindi Shaw commented that Paul definitely agreed with them that it should be a separate department because it is not under the umbrella of Public Work's responsibilities. Paul does recognize that it is a big problem. Paul had told them that Judge Whalen would be working with a collection agency on collecting fees. There will be more enforcement of the fines. Cindi stated

once people feel it in their pocket book, they might start changing the whole dog issue around. Paul had mentioned animal services being contracted in Spokane and thought they might want to check that out.

Shag Miller commented that Great Falls contracts with the Humane Society. They do all the animal control. They pay 100,000 a year plus the license fees. They hire the staff and run the shelter. It is a whole operation that is contracted through the Humane Society that apparently works very well.

Tony Bonney heard that Erin Wall, the new Animal Shelter Director, is going to be in control of Grant and Dave. He thinks the perfect way to approach that is to make that a department or to suggest that be made a department and put that Director in charge of them. You still have the teamster and laborer but she is in control. There are teamsters and laborers that answer to John VanDaveer. Tony stated if you are answering to a Director it is a lot more than not answering to anyone.

Cindi Shaw mentioned how Erin would be making less money than Dave and Grant.

Tony Bonney replied that her wage could be adjusted. The Council of Commissioners could adjust the salary for the Director of Animal Control Services. Tony Bonney mentioned how there were so many people that attended the public meeting that they obviously want to see something done. Tony discussed the front-page article regarding the hiring of more police officers and how obviously somebody wants to see something done. Tony stated that is how you would want to handle it, to make it a department and put it out there for funding at the same time. Tony believed that would help control the animal problem.

Cindi Shaw replied that Paul stated BSB's two animal wardens are not doing their jobs.

Bob Worley asked if Paul mentioned anything about the budget for animal control? Ristene Hall believed it was around \$60,000 per person with benefits. Dave Palmer commented that the Animal Warden at one time used to be the highest paid employee in BSB and that was taking into account the overtime. Bob Worley stated it would be safe to say for both of those employees with benefits the wages are \$110,000 to \$120,000. Cindi Shaw commented that Paul stated that was obscene.

Bob Worley asked if there would be a no kill policy.

Cindi Shaw and Ristene Hall replied that there would be a low no kill policy.

Shag Miller commented that Helena has a similar system to Butte. They have an animal control person and she has the city and Helena. Lewis and Clark also have one. She works under the Police Department and one works under the Sheriff's Department. In Great Falls, it is all contracted to the Humane Society. The City of Great Falls pays the Humane Society \$100,000 a year plus \$10 per dog recovered and all the license fees. In Missoula, they have a City/County Health Department, which has four control officers and four shelter workers. They cover all of Missoula County. They have a budget of \$475,000. Bozeman has an Animal Control Officer who has been there for 28 years. Her salary is \$30,000/year. She handles around 5 to 20 calls a day. Belgrade has a part-time officer. Yellowstone and Big Sky's animal control is turned over to their marshal. Shag stated overall, most of them either with Law Enforcement or the Health Department. Shag was not sure due to Butte-Silver Bow's teamster situation, whether they could contract that work.

Tony Bonney asked if it was restructured as a separate department and with Dave and Grant currently under Public Works could they be switched over to another position in Public Works?

Cindi Shaw replied they discussed with Paul about their jobs no longer existing due to their positions no longer falling under Public Works.

Cindi Shaw replied the way Paul explained it was if they eliminated a job out of Public Works and they don't have animal control but do a contractual arrangement for animal services and make it a separate department then Dave or Grant could apply for that job. Cindi Shaw commented that a contracted position requires experience. Meg Sharp added that they would not be able to keep their union affiliation.

Cindi Shaw stated the good thing is you would not have these huge salaries in that department and the whole department could probably survive off what Dave and Grant made combined.

Bob Worley asked where would the contracted services come from and who would hire the contractor? Cindi replied that the shelter has a board. Bob Worley asked it would be the Shelter Board that would approve the contract?

Ristene Hall wanted to clarify with Tony that the Shelter Director would not necessarily be the Department Head. Tony Bonney replied no, but there would be a Director that is in charge of the shelter and enforcement.

Tony Bonney replied Dave and Grant would not lose their job because they could be placed in a position under Public Works. They would have the same wages.

Northey Tretheway replied that it would be costing the county more in terms of personnel.

Cindi Shaw replied the way Paul talked, seeing how much Dave and Grant make, you could almost have Director, a couple contracted enforcement officers and shelter care for almost the same amount of money.

Shag Miller replied that they are running a 24-hour, seven days a week operation but they do use a lot of volunteers.

Tony Bonney believed the new Animal Shelter Department Head's salary was \$30,000 and she would be hiring an assistant that would earn around \$22,000.

Bob Worley replied that you would have \$30,000, \$22,000 and if you are somewhere between those figures with two officers, such as \$24,000 a year, that would be \$100,000 total. Then you would also have the Director. Bob Worley asked if Animal Control would be able to keep a Director busy to the point that they would want to pay a Director to do Animal Control?

Ristene Hall replied the Department Head would be the person the public would actually complain to. It would be possible if you had a dog problem that you would call the Department Head. The Department Head would then contact the Animal Control Officers. The Department Head would know what the problem was and what the end results would be. He/she would know if the problem got resolved. Ristene stated Public Works is so busy with other things that animal control does not get enough attention.

Bob Worley asked where all the fees go from animal control. Bob asked if the city kicks in a millage or something like that to run the shelter? Bob stated that BSB had a contract with those

people and asked Dave Palmer if it was for \$30,000/ year? Dave Palmer replied it was to operate the shelter and crematory. Bob Worley asked if that money would still be available under the new way and assumed it would be. Bob Worley discussed how it could be self-sufficient if the license fees and fines went towards the cost of operating the department. Bob asked if that money needed to be kept separate?

Dave Palmer replied that the money would go into a general fund but it would be interesting to know how the Parking Commission works. All fees from the Parking Commission have to be spent within the Parking Commission.

Bob Worley asked if they have come up with a suggestion or what they would like to put into the charter as a solution?

Cindi Shaw stated that she and Ristene discussed with Paul putting it under the charter and having it would come under his administrative branch or executive branch, Article V, Section 5.01. It would not be an elected position.

Meg Sharp replied that it would not be under Article V because they are all elected.

Tony Bonney referred to Section 7.07. His recommendation was to put it under Section 7.07.

Cindi Shaw asked if it was under Administrative Departments, is it assumed that it is under the direct supervision of the Chief Executive?

Tony Bonney replied that they could put it in there but believed it was well known throughout most of the departments.

Cindi Shaw commented it could be as simple as Section 7.06.

Shag Miller asked using the same language as Section 7.05.

Meg Sharp replied they would be using the term system as opposed to department.

Tony Bonney thought the people would vote for it if there were accountability.

Bob Worley suggested trying to simplify things like they did last week and not go further than the Council of Commissioners shall establish by ordinance an Animal Services System. Then it would be up to them that they would want a department head and then contracted services for that particular system.

Cindi Shaw commented they have total blessings on that from Paul Babb.

Dave Palmer suggested that they do not have the language "contracted services" in the charter.

Bob Worley replied they would not and the charter would read, the Council of Commissioners shall establish by ordinance an Animal Services System. Then they could talk to the Council of Commissioners about what they would like to see within that system. In other words, a Director or Department Head, someone to head up the shelter and oversee the services of the people that control animals.

Shag Miller moved and Northey Tretheway seconded. Bob Worley stated there was a motion on the floor on Section 7.07, the Council of Commissioners shall establish by ordinance an Animal Services System. All were in favor and the motion carried unanimously.

Bob Worley asked Northey if he had a draft of the simplified charter. Northey Tretheway replied that he had made a copy for the panel to review. Northey mentioned one thing that he has not done that Dave has asked is to identify what sections of the current charter would be eliminated as a result of the simplified charter. Northey was not sure if he would be doing that since it is very apparent as you go through it.

Northey Tretheway asked about the comment made about Walkerville not benefiting from ... was that checked in to because it was not in the notes but there was a request to have that checked into.

Bob Worley asked Ron to check the mils for Walkerville versus Butte to see which is higher. Walkerville says they would not benefit from dissolving and becoming a portion of city-county. Bob McCarthy says they would with a lower mil. Bob Worley believed Ron could get that information from the Clerk and Recorder's Office. Bob Worley suggested Ron talk to Mary McMahon.

Bob Worley moved forward with review of the charter starting with Article 9.

Bob Worley reviewed Sections 9.01 and 9.02. Meg Sharp commented that there are still issues that need to be discussed on Section 9.02 in regard to the number of Council Commissioners.

Bob Worley stated that he has done some research and talked a little with Mary McMahon who favored the number being reduced to 8. Bob Worley stated that he went through and looked at the previous year of attendance for 46 meetings. Bob stated that he was surprised. The committee as a whole, in 2005, out of 276 possible attendances at those meetings, for 23 weeks, there were 243 attendances there, which calculated to 88%. Bob Worley stated that the regular meetings, out of 276 possible attendances, 234 attendances were recorded which calculated to 84%. It averaged at 86%. Bob Worley stated generally speaking they all do a reasonable job.

Ristene Hall commented that she never saw one seat that was always empty.

Bob Worley is still waiting for a list from Charlie O'Leary on what they do and how many other boards they sit on.

Dave Palmer replied there is the Judiciary Committee, which meets the same night as the Committee of the Whole, and go over any ordinances or changes that are going before the council. Then you have the Finance and Budget Committee, which meets every Wednesday at 6 p.m. They review every expenditure BSB County has made. Dave Palmer mentioned if they do something with the Auditor...because the Auditor is the one that should be reviewing those expenditures.

Northey Tretheway commented the purpose of the Council is to be a policy setting body for the county not to be doing the day-to-day work operations. Why have people responsible in some of these departments if you are not going to trust them to do that? In addition, if you do have an auditing of that activity, you are doing the work three times. The person in the department is doing it, the Finance Committee is looking at it again and then an Auditor may be looking at it again. Northey commented a bigger number of commissioners creates less accountability but if you go smaller that takes some flexibility away.

Bob Worley asked about meetings outside of the council. Dave Palmer replied there are a lot of boards that are set up. It is spelled out in the ordinance that at least one member of that board will be a member of the Council of Commissioners. It is up to the Chief Executive and he/she will usually ask for a volunteer and it is whoever has an interest.

Shag Miller commented that he is on the Airport Board and there is automatically one member of the Council of Commissioners on it.

Bob Worley asked how many boards are out there. He was sure the Health Board has somebody.

Dave Palmer replied that the Health Board has one and the Chairman sits on the Local Development Board. Meg Sharp replied URA and TIFID have one.

Ristene Hall replied she was on the Senior Citizen's Board when she was on the council.

Dave Palmer stated there were probably enough boards for each council member to be on one.

Meg Sharp suggested since they are going to have four legislative districts, she thinks eight commissioners is a very workable number and it keeps all the districts the same for both functions.

Northey Tretheway commented that Butte has the most number of commissioners than anyone in the state. Northey asked if there are comparable cities that have unpaid commissioners...

Shag Miller commented Neighborhood Boards in Cascade County are advisory and Lewis and Clark County's barely exist.

Northey Tretheway asked if they should see first how many they have before they determine the number of commissioners?

Cindi Shaw asked in all reality if they put anything to the public in the form of a recommendation, do you think the voters are going to vote for a change in the number of commissioners. She did not believe they would since they do not have enough information. She did not know if they would want to waste columns or possible requests on something like that.

Bob Worley's thoughts were early on in the commission, of the people he runs into on the street that was probably one of the main things. Now, he is not hearing it as much anymore. He believed the people are putting it before them to decide. Bob Worley did not think there was cost savings. He thought their wages with benefits might reach \$10,000 and they would only end up saving \$40,000. However they are talking about creating jobs too and money has to come from some place. Bob Worley thought Meg's suggestion made the most sense so far.

### **End of Tape 1, Side 1**

Bob Worley mentioned that they have been looking at simplifying the charter. They will go back through the existing charter and let the people vote on the simplified charter or the corrected version of the existing charter. Bob stated it makes sense because a lot of things are done through ordinance rather than the charter. It makes things simpler and makes things easier to operate at the commissioner level.

Bob Worley commented if one so chooses to select the simplified charter, the existing charter is done. There would be no reason to vote on the other issues, if they vote for the simplified charter.

Bob Worley mentioned how they are going to have to educate the public.

Cindi Shaw mentioned that they have done some small changes to the charter but they have also made changes such as a separate ordinance for the Land Office and Animal Services.

Bob Worley commented that they were only going to put the changes made in the charter to the people for vote. There is no reason for them to go back and review the things that are ok.

Shag Miller wants to address the number of commissioners. They will have spent two years working on the charter and the changes are fine-tuning some adjustments, the animal services and so forth, and they would like to pass it. The other charters have failed and if they cut the number of commissioners, they potentially could have 12 campaigners against them. If they are satisfied with the number and there is no need to change the number, they will have 12 people working for them and not build themselves a enemy.

Tony Bonney mentioned any suggestions on changes such as with the animal wardens; they could have two enemies out there telling everybody they know that the Study Commission is trying to eliminate their jobs. If they give the voters of BSB an option and they decide on a simplified charter, it is done. If not, they vote on it individually. Tony Bonney commented the voter is the one that will have the option to vote for or against individual changes made within the charter.

Dave Palmer is in favor of 12 Council Commissioners. He feels that the public would have more representation and a smaller number would hurt the people of Butte.

Cindi Shaw is in favor of 12. Her main reason is anytime you reduce the number of people handling problems, you are going to get a negative response from people. They are going to think that their district is losing out. Another reason is she believes that Butte's population will be increasing.

Northey Tretheway stated he is more interested on if they are working on the right things. Northey Tretheway did not know if changing the number to 8 or 15 was really the issue versus them working on things that are not necessarily policy directives. He did not know if there was anything they could do as a Study Commission to change that. The numbers are not going to materially move that decision and managing process in any better direction. Northey stated the number might the symptom, but it is not the problem.

Tony Bonney stated that he agrees with that. Tony commented when he see the packs of dogs that are constantly not getting taken care of, he would call and state his concern. He does not have time to look to see if they are taking some of the power away from his neighborhood. Tony stated most of the people are dealing with their situations but if they have a problem, they can call up and find out whether it is eight or twelve. He agrees with Northey and maybe it should be shifted where they are not dealing with dog problems. By doing that it might free up some of their time.

Ristene Hall replied that she thought he was right because if he called her as a commissioner all she could do is call Public Works and relay the message. Public Works would relay their message to the dispatcher and he/she would relay it to the enforcing officers. By that time, it is history and Public Works is a real busy department and do not have the time to worry about it. If

they form another department and that person, the city, every person in this town would have a phone number to call.

Bob Worley commented that he bets most people who live in the districts do not even know who his/her commissioner is.

Bob Worley discussed census information he received from Mary McMahon. In 1970, the population was 41,981. In the year 2000, the population was 33,606. Bob stated there were 12 commissioners at that time and their numbers have been reduced by 8,000 people in the community. If they use the 33,000 figure and that was done with 8 commissioners it would mean that they each would be responsible for around 4200 people. Presently, each commissioner is responsible for around 2700 so it would go up substantially if the number was cut to 8 commissioners.

Bob Worley mentioned a previous discussion they had about a complaint department. If they do a complaint department and have an auditor, they will be taking a lot of responsibility from the commissioners and they can get back to doing what they are elected to do, such as watching how the money is spent.

Bob's thoughts were this is where Study Commission is most divided is on the number of the commissioners. He was not sure if they should have 12 full-time or 12 part-time. It all depends on the people that are elected to the job and what kind of job they want to do after they are elected. If they don't want to do the job, they are elected, they get their paycheck and attend a couple of meetings and so it goes. Some districts don't require the attention that other districts require and ours is probably one.

Meg Sharp asked if the members of council have insurance through the government?

Bob Worley replied they do and that is a major benefit to them. The commissioners do not get paid much and believed they only made around \$3900.00 a year. Bob believed the biggest thing would be them receiving health insurance.

Northey Tretheway mentioned putting things in place such as the Auditor and Animal Control would take some of the pressure off them. Through ordinance, they could do that themselves. Northey commented doing the right thing versus not the wrong thing but the direction of what they focus on is something they have no control over. They could put things in the charter it does not necessarily mean it would change the direction of the thinking of the commissioners. Northey stated on most Board of Directors, you do not see the board members thumbing through all the expenses of everything.

Bob Worley agreed and commented if they had an Auditor, an Auditing Department that worked as an Auditing Department...he thinks there is a lot of controls that could be done through an Auditor. Northey Tretheway agreed and believes the commission has the ability to establish that through ordinance.

Cindi Shaw made a motion that Section 9.02, Council of Commissioner Districts will remain 12 members of the Council of Commissioners as it currently reads. Dave Palmer seconded the motion. Bob Worley stated the motion on the floor covering Section 9.02 that there shall be elected by district, twelve members of the Council of Commissioners. Five were in favor and three opposed. Motion carried.

Bob reviewed Section 9.03 and 9.04.

Bob asked if they needed the last sentence in Section 9.04. Meg Sharp suggested they put a question mark next to it and when Bob McCarthy comes in he can answer that. He was not sure if they could strike it. Shag Miller thought the sentence was fine but redundant.

Bob reviewed Article X, Section 10.01 and 10.02

Ristene Hall asked where it states this charter may be amended only by...only as prescribed by state law, should there be sentence in there saying when state law changes it should be changed within a certain period of time. Ristene explained they probably would not have had the problems they had if the charter had been changed. Meg Sharp replied it should have been the County Attorney to present it to the Council.

Northey Tretheway commented in regard to the issue Meg is referencing, whether the charter was changed or not, the council was already provided with advice from the County Attorney stating that could not be done. Northey agrees that it probably does not hurt to have it in there but he does not think that will be a fix.

Tony Bonney disagreed. If there was something in there where that should be changed and they gave it a six month time period, then it would not be in there for someone to look at asking if they could do that or not. The question would be answered.

Ristene Hall commented that the charter, as it is currently written, was voted in by the people. It has some power. This charter stated that he could do what he did. If state law changed that, the charter should have been changed within a certain period of time.

Northey Tretheway asked if you change the charter, don't you have to either have it voted on? You have to still meet the procedure of vote.

Meg Sharp replied it could be the next election.

Bob Worley stated if they were going to do something, he would rather see it go to the next election. Election can be expensive.

Tony Bonney asked if it would be possible to change the wording so that it states the charter must be changed within six months to be in compliance with state law without an election? So if state law changed the charter would be changed because of that provision under the charter.

Northey Tretheway replied that was the essence of having a simplified charter. You don't want to be so precise in the charter that it becomes obsolete.

Northey Tretheway commented the charter is supposed to be an outline of the form and structure of government, not dictating it.

Cindi Shaw commented they should have a basic way of changing the charter. There should also be a time element.

Shag Miller replied the charter could only be changed by the election of the people.

Shag Miller suggested they run that sentence by Bob McCarthy.

Bob Worley asked if the language “as prescribed by state law” is confusing them? If it stated this charter may only be amended in accordance with state law, would that be easier to understand?

Cindi Shaw agreed with Bob Worley that the sentence is confusing.

Bob Worley reviewed Section 10.02.

Bob Worley stated they would have something different on that as far as the date. That would be to a current date. Bob Worley commented it would be effective July 1, 2006.

Bob Worley reviewed Sections 10.03 and 10.04

Northey Tretheway commented in Section 10.03, the language “separability”, Missoula calls it severability and they have almost the same language. Bob Worley made note of it and suggested they ask Bob McCarthy.

Bob Worley reviewed Section 10.05 and 10.06

In Section 10.06 (c), Bob asked if they have central purchasing and procurement in BSB?

Dave Palmer replied they did not have central purchasing.

Northey Tretheway asked what do they do about supervision and personnel?

Bob Worley stated it was a strong paragraph and he was not sure the Council of Commissioners abide by it.

Bob Worley reviewed Section 10.07 and 10.08.

Northey Tretheway asked if they are simplifying the charter, in regard to employment policy, isn't there already laws out there for discrimination, disabilities and so forth? It seems like a redundant...

Tony Bonney referred to Section 7.06.

Dave Palmer stated all the changes they make, they have to have a transition.

Northey Tretheway did not think it needed to be in there.

Tony Bonney referred again to Section 7.06. Bob Worley replied they made changes to that section and struck out the language he was referring to.

Meg Sharp did not think that needed to be in there because the feds already do.

Bob Worley thought if they want to eliminate 10.07 and still have an employment policy, in Section 7.06 after “System” could they put in there, the city-county is committed to providing equal employment opportunity?

Northey Tretheway replied or just the fact that they are committed to following the employment law.

Dave Palmer stated it is covered by state and federal law.

Bob Worley stated that they have an appointment with Don Robinson on Tuesday, the 17th at 2:00 p.m. Wayne has an appointment where he will be with a lot of labor attorney's and he is going to throw this out there for discussion. It would be useful for them to have that information before going to the meeting with Don Robinson.

Bob Worley commented they are done with reviewing the charter and he believes they have covered it all. Bob mentioned next week, they will probably go over the draft. They still have things that they need to decide on such as an Information Department, Superfund Coordinator, Auditor, the Superintendent of Schools and things of that nature.

Ristene Hall asked if they needed to know what they are going to do about autonomous boards and budgets?

Northey Tretheway commented they should look at what other cities do and use that as a reference point. Northey replied with 12 commissioners, there should be enough people to cover those things.

Bob Worley read as follows: except for disputes arising under the terms of a collective bargaining agreement or as provided under 20-3-211 or 20-4-208. The County Superintendent shall adhere and decide all matters of controversy arising in the county as a result of decisions of the trustees of the district in the county. Only a County Superintendent who possesses the qualifications of 20.3.201 may hear controversies related to teacher termination. Bob Worley stated what that is telling him is you need a qualified person, it was one of the places where Bob McCarthy said there are some requirements for that particular job.

Northey Tretheway believed they read that he/she would need to have a teaching degree or so many years of teaching experience.

Bob Worley stated that he has talked to Debbie Alt about paying for Don Robinson. Bob Worley stated he would get with Mary McMahon on a time frame.

***Date of Next Meeting:*** January 19, 2006.

***Adjournment:*** Dave Palmer moved for adjournment and Northey Tretheway seconded. Motion carried.